

REMARKS

Claims 1-20 were pending in this application.

Claims 1-20 have been rejected.

Claims 1, 9 and 14 have been amended.

Claims 1-20, as amended, remain pending in this application.

Reconsideration of Claims 1-20, as amended, is respectfully requested.

I. ALLOWABLE SUBJECT MATTER

The Applicants thank the Examiner for the indication on Page 3 of the May 7, 2007 Office Action that Claims 1-20 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 101 with respect to non-statutory subject matter. The Applicants have amended Claims 1, 9 and 14 to overcome the 35 U.S.C. § 101 rejections. The Applicants respectfully submit that Claims 1-20, as amended, are now in condition for allowance.

II. AMENDMENT TO THE SPECIFICATION AND TO THE DRAWINGS

Figure 13 of the drawings (and the accompanying text of the specification) has been amended to more particularly claim the method of the Applicants' invention. The amendment adds the step of controlling the manufacture of the silicon germanium film 710 in real time using the value of the germanium concentration. The "manufacturing control" step has been previously disclosed in the specification (e.g., Paragraph [0012]). Therefore, the amendment does not add any new matter to the patent application.

III. REJECTIONS UNDER 35 U.S.C. § 101

The May 7, 2007 Office Action rejected Claims 1-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In response to the rejections, the Applicants have amended Claims 1, 9 and 14 to claim statutory subject matter.

In particular, Claim 1 has been amended to claim a method for manufacturing an integrated circuit device. The method in amended Claim 1 determines a value of germanium concentration in a silicon germanium film and uses that value to control manufacture of the integrated circuit device. The specification provides support for the amendment to Claim 1. The title of the patent application is "System and Method for Measuring Germanium Concentration for Manufacturing Control of BiCMOS Films." Paragraph [0012] states that "It is an object of the present invention to provide a system and method for measuring a germanium concentration in a semiconductor wafer for manufacturing control of a BiCMOS film." The specification clearly identifies the concept of using a value of germanium concentration to control the manufacture of an integrated circuit device.

The Applicants respectfully submit that Claim 1, as amended, now recites statutory subject matter. The Applicants have also similarly amended Claim 9 and Claim 14. For the same reasons given for Claim 1, the Applicants respectfully submit that Claims 9 and 14, as amended, also now recite statutory subject matter.

In view of the amendments to the claims, the Applicants now respectfully request withdrawal of the § 101 rejections and full allowance of Claims 1-20, as amended.

IV. CONCLUSION

The Applicants respectfully assert that all pending claims in this application are in condition for allowance and respectfully request full allowance of the claims.

The Applicants respectfully deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. The Applicants reserve the right to submit further arguments in support of their above stated position as well as the right to introduce relevant secondary considerations including long-felt but unresolved needs in the industry, failed attempts by others to invent the invention, and the like, should that become necessary.

SUMMARY


If any issues arise, or if the Examiner has any suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckbutrus.com*.

The Commissioner is hereby authorized to charge any fees connected with this communication (including any extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS P.C.

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